

## REMARKS

### Claim Rejections Under 35 U.S.C. §112

Claim 6 was rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. More specifically, the recital "is cooled by a temperature of about 10 °C to 35 °C" was deemed indefinite. It is believed that the amendment made above clarifies what was intended by the Applicants. Support for the amendment is found in paragraph 7 of the specification, particularly the sentence that bridges pages 3 and 4.

### Claim Rejections Under 35 U.S.C. §102 and 103

Claims 1, 2, 4, 6, 8 through 10, and 12 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by, and Claims 3, 5, and 11 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over, Jenkins, et al. (U.S. Patent No. 4,041,115). These rejections are respectfully traversed.

Jenkins is cited as allegedly teaching a method for manufacturing powder coatings. In fact, Jenkins appears to teach a method for making a powdered polymer. The powdered polymer of Jenkins and the powder coating of the present invention are quite distinct, and as such Jenkins does not teach the present methods. Claims 1 and 9 have been amended to recite that the starting materials used in the present processes comprise a resin and a crosslinking agent. Support for the amendment is found in paragraph 7 and in the examples. As will be appreciated by one skilled in the art, the manufacture of powder coatings from starting materials comprising a resin and a crosslinking agent requires a high level of precision; for the coating to be useful, homogeneity of the starting materials in the final powder coating is desired. The resin and crosslinking agent react with each other under application of heat; it is ultimately this reaction that allows the powder coating to be cured and form a coating on a substrate. Some amount of heat is needed during the manufacturing process to insure a homogenous melt mix, but too much heat can cause the starting materials to react too much, thus affecting the reactivity of the final powder. Getting the desired level of homogeneity in the final product, without too much reaction, is a significant issue in the

art that has been overcome by the steps of the presently claimed processes. Jenkins neither anticipates nor renders obvious these processes. Jenkins is concerned with melt mixing different polymers and producing powdered polymers, such as plastics. Jenkins does not teach or remotely suggest the introduction of curing agents into the melt mix. Although the Office Action refers to column 7, lines 36 through 45 of Jenkins, as purportedly teaching a method for manufacturing powder coatings, this excerpt is directed to pigmenting the powder polymer that result from Jenkins; again, the powdered polymer is not a powder coating in which a resin and crosslinking agent have both been used as starting materials. Also pointed out in the Jenkins specification at column 6, lines 28 through 33, is the reference to fluidized bed powder coating processes. This reference, however, merely compares the bulk density of Jenkins' powdered polymer to the bulk density of a powdered coating in a fluidized bed; it does not teach or suggest that the Jenkins product is, or would be suitable for use in, a powder coating.

Claims 1, 2, 6 through 9, and 12 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Furgiuele et al. (U.S. Patent No. 6,479,003). This rejection is respectfully traversed.

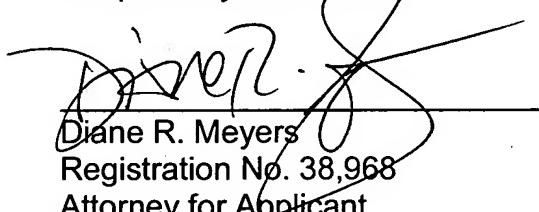
As with, Jenkins, Furgiuele does not teach or remotely suggest a process for manufacturing powder coatings. Rather, Furgiuele appears to teach a method for making polymeric particulates, which would have particular relevance to the recycling of plastic. Furgiuele does not teach or suggest processes for manufacturing powder coatings, particularly those in which the starting materials comprise a resin and a crosslinking agent. While Furgiuele is cited as purportedly teaching a method for manufacturing powder coatings at column 4, lines 46 through 50, that excerpt actually relates to spray coating of polymeric particulates for melt processing of plastics; it is not relevant to powder coatings prepared from starting materials comprising a resin and a crosslinking agent. In addition, Furgiuele is cited as allegedly teaching that their powder coating is a thermosetting powder coating at column 6, lines 46 through 55. Furgiuele does not teach a powder coating at all, let alone a thermosetting powder coating. The

reference to thermoset in the cited excerpt refers to the material of the polymeric scrap fed into the Furgiuele process; it does not refer to the end product.

**SUMMARY**

It is respectfully submitted that neither of the cited references teach or remotely suggest a method for manufacturing powder coatings from starting materials comprising a resin and a crosslinking agent. For all the reasons given above, it is respectfully submitted that the claims are in such condition for a Notice of Allowance. Such action is respectfully requested at an early date.

Respectfully submitted,

  
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